

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

)	
UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10167-RCL
)	
ADAM ELLARD, and)	
TIMOTHY HERLIHY)	
)	
Defendants)	
)	

GOVERNMENT'S ASSENTED TO MOTION TO EXCLUDE TIME

Now comes the United States, by its attorneys, Michael J. Sullivan, United States Attorney, and David G. Tobin, Assistant U.S. Attorney, and hereby moves to exclude from all Speedy Trial Act calculations the period of time from September 13, 2004 (the date of a previous Status Conference) to and including January 11, 2005 (the date of the next Status Conference) (excludable delay pursuant to 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). The requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial. The defendants, through counsel, assented to the September 13, 2004 to November 10, 2004 delay on September 13, 2004. The defendants, through counsel, assented to the November 10, 2004 to January 11, 2005 delay on November 10, 2004.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ David G. Tobin
DAVID G. TOBIN
Assistant U.S. Attorney